

Appl. No. 10/774,708

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Dkt. No. 112461-021

AUG 29 2006

REMARKS

Claims 1, 6-33 and 35-122 are pending in this application. Claims 7-14, 17-33 and 36-122 are withdrawn from consideration. Claims 1, 6, 15, 16 and 35 stand rejected and Applicant traverses these rejections.

Claims 1, 6, 15, and 35 are rejected under 35 U.S.C. § 112, 1st paragraph by the Examiner "because the specification does not provide a sufficient enabling description of a method of inducing secretion of interleukin-1 β (IL-1 β) in *any* mammalian or human cell."

Claims 15 and 16 are rejected under 35 U.S.C. 112 1st paragraph by the Examiner because "the claims contain subject matter not described in the specification. The specification does not provide support for 'killing' cancer cells."

Claim 16 is objected to as being dependent upon a rejected claim, and would be allowable if rewritten in independent form including all of the limitations of base claim and any intervening claims.

Applicant has cancelled Claims 1, 6, 15 and 35 and reserves the rights to refile these claims in a subsequently filed application. In an attempt to accelerate the prosecution of this Application, Applicant has amended Claim 16 to rewrite the claim in independent form including all the limitations of the base claim and any intervening claims, as well as amended the claim to change the claim from "capable of killing of cancer cells" to "leading to apoptosis of the carcinoma cell." Applicant has also added a new dependent Claim 123 to recite the antibody is a monoclonal antibody or a polyclonal antibody. The amended claim 16 recites a method for inducing apoptosis in a mammalian ovarian carcinoma cell comprising administering an effective amount of anti-Regeneration and Tolerance Factor (RTF) antibody. Support for this claim is found in Example 13 (page 16, lines 21-30), which demonstrates that anti-RTF antibody causes cell death (apoptosis) to mammalian ovarian carcinoma cells as indicated by the increase of Caspase 3 activation measured by flow cytometry as compared to controls without adding the anti-RTF antibody.

In addition, claims 124 to 126 are newly added. Claim 124 recites a method for treating carcinoma ovarian cancer in a mammal by administering an effective amount of anti-RTF antibody. Claim 125 is a dependent claim of 124 to recite the antibody is a monoclonal or a polyclonal antibody. Claims 125 and 126 are corresponding composition claims. Support for claims 124-126 can be found in Example 14 in which anti-RTF antibody reduces the volume of

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tumors containing ovarian carcinoma cells transplanted subcutaneously in mice.

Thus, Applicant submits the claims as amended are in condition for allowance and respectfully request an early notice of the same.

Respectfully submitted,

EVEREST INTELLECTUAL PROPERTY LAW GROUP

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BY

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